



PC443.00:JVM:171291

3738

#6

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/777.702
Filing Date	February 6, 2001
First Named Inventor	Kevin T. Foley
Group Art Unit	3738
Examiner Name	Suzette Jamie Jackson
Attorney Docket Number	4002-2475

Total Number of Pages in this Submission

3

ENCLOSURES (check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input type="checkbox"/> Additional Enclosure (please identify below) |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Return Receipt Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Small Entity Statement | X Response to Restriction/Election Requirement |
| <input type="checkbox"/> Certified Copy of Priority Documents | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Douglas A. Collier WOODARD EMHARDT NAUGHTON MORIARTY & MCNETT
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Signature

Date

June 3, 2002

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Assistant Commissioner for Patents, Washington D.C. 20231 on this date: June 3, 2002

Typed or printed name

Douglas A. Collier

Signature

Date

June 3, 2002



002-2475:171099

#6/3
6-28-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	
)	Before the Examiner
Foley)	
)	Suzette Jamie Jackson
Serial No. 09/777,702)	
)	Group Art Unit 3738
Filed Feb. 6, 2001)	
)	June 3, 2002
)	
SPINAL BONE IMPLANT)	Atty Docket No. 4002-2475

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT
UNDER 35 U.S.C. §121

Hon. Assistant Secretary and
Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

In response to the Restriction Requirement dated 14 May 2002, please consider the following. Please provide any extensions of time which may be necessary and charge any fees which may be due to Deposit Account No. 23-3030, but not to include any payment of issue fees.

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Name of Registered Representative

Douglas A. Collier
Signature

June 3, 2002

Date of Signature